

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

LA'BRENT ROBINSON,

Plaintiff

v.

DAVID VARANO, et al.,

Defendants

Civil No. 3:10-CV-2131

(Judge Kosik)

ORDER

AND NOW, this 2nd day of July, 2012, IT IS HEREBY ORDERED THAT:

1. The February 9, 2012 Report and Recommendation (Doc. 46) of Magistrate Judge Thomas M. Blewitt is ADOPTED, in part;
2. Plaintiff's Objection to the Magistrate Judge's Report and Recommendation (Doc. 49) are OVERRULED, in part, and SUSTAINED, in part;
3. Defendant's Motion to Dismiss the Claims in the Amended Complaint Against Them (Doc. 29) is GRANTED, in part, and DENIED, in part;
4. Plaintiff's claims for monetary damages against Defendants in their official capacities are dismissed;
5. Plaintiff's state law breach of contract claim against Defendant SCI-Coal Township is dismissed;
6. Defendants SCI-Coal Township, Varano, Stetler, McMillan, Miller, Morris, and Schichatano are DISMISSED from this action;
7. The Clerk of Court is directed to substitute the name of Defendant Jane Doe with Defendant Bahneman;
8. The claims against Defendant John Doe and Defendant Bahneman will be allowed to go forward;
9. The Plaintiff has thirty (30) days from the date of this Order in which to conduct limited discovery and to notify the Court as to the identity of Defendant John Doe; and
10. The above-captioned case is REMANDED back to the Magistrate Judge for further proceedings consistent with this Memorandum and Order.

**FILED
SCRANTON**

JUL 02 2012

PER
DEPUTY CLERK


Edwin M. Kosik
United States District Judge